

chased a license; otherwise, a penalty of twenty dollars (\$20) and costs of prosecution shall be imposed.

[Any licensee who shall fail to submit to the commission the report of game birds or animals or fur-bearing animals, as required by this act shall be sentenced to pay a fine of two dollars and costs of prosecution.]

Other violations. Any person who violates any of the provisions of this article except as above provided, shall, upon conviction, be sentenced to pay a fine of twenty dollars (\$20) and costs of prosecution of each offense: Provided, That an additional fine of twenty dollars (\$20) and costs of prosecution shall be imposed when any person is convicted of:

Hunting during revocation. (a) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission, or by this act, and each day shall be considered a separate offense;

(b) Securing a hunter's license either in his own or an assumed name during any period of time that he has been denied such privilege by the commission;

(c) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or any court of record because of inflicting bodily injury upon himself or any other person while hunting or trapping, shall, upon conviction, in addition to the penalties provided, be sentenced to suffer imprisonment for a period of thirty (30) days.

Imprisonment. Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Second offense. Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 175

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful to assist in the taking, killing or wounding of any game, and providing penalties.

The Game Law. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 701, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended June 28, 1951 (P. L. 600), is amended to read:

Section 701, act of June 3, 1937, P. L. 1225, amended June 28, 1951, P. L. 600, further amended.

Section 701. Unlawful Taking, Killing, Possession, Etc., of Game.—Except as otherwise provided in this act, it is unlawful for any person to take or kill or wound or attempt to take or kill or wound, or assist in the taking, killing or wounding of any game, except during the open season, or to have in possession, either living or dead, any game, or any part thereof, except game lawfully taken during the open season, which may be had in possession up to and including July first of the year immediately following.

The burden of proof that game, or any part thereof, found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game, or part thereof, is found.

This section does not prohibit the possession at any time of game killed or taken outside of this Commonwealth, or the possession of the tanned or cured skins, or any parts thereof, of birds or animals not unlawfully killed, or the possession of live raccoons when lawfully taken during the open season.

It is unlawful for any person to use any game that has been unlawfully killed or taken, or to aid or assist in the taking, possessing, concealment, or transportation of any game unlawfully killed, or to have in possession for any purpose whatsoever, or conceal the same, any game, or any part thereof, that has been unlawfully killed or taken.

Section 2. Clause (q), section 731 of the act, amended December 16, 1959 (P. L. 1873), is amended to read:

Clause (q), section 731 of the act, amended December 16, 1959, P. L. 1873, further amended.

Section 731. Penalties.—Any person violating any of the provisions of the sections of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

* * * * *

(q) Except as otherwise herein provided, for hunting, or chasing, or catching, or taking, or killing, or wounding, or receiving, or delivering, or transporting, or shipping or using or concealing or assisting to take, kill, wound, transport or conceal, or having in possession or attempting to hunt for, catch, take, kill, wound, or transport contrary to this article, or regulations adopted thereunder by the commission, or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth, or

relating to the buying or selling or bartering of the whole, or any substantial part or parts of;

I. Each elk, two hundred dollars, and in the discretion of the court six months' imprisonment.

II. Each deer, one hundred dollars during any deer season; at any other time, for the first offense, one hundred dollars and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of three years; and for the second and each subsequent offense, two hundred dollars and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of three years. When the convicted person has been denied the right to hunt or trap anywhere in this Commonwealth for a period of one year, the commission upon good cause shown may grant the right to hunt or trap anywhere in this Commonwealth to the person convicted.

III. Each bear, two hundred dollars during any bear season; at any other time, two hundred dollars and the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of five years.

IV. Each wild turkey, ruffed grouse, pheasant, quail, partridge, or woodcock, twenty-five dollars.

V. Each raccoon, twenty-five dollars.

VI. Each other wild bird or wild animal, ten dollars.

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Section 3. Effective Date.—This act shall take effect immediately.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 176

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," changing provision relating to revocation of licenses.

The Game Law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Clause (a),
subsection (3),
section 315, act
of June 3, 1937,
P. L. 1225,
amended August
19, 1953, P. L.
1081, further
amended.

Section 1. Clause (a) of subsection (3) of section 315, act of June 3, 1937 (P. L. 1225), known as "The Game Law," amended August 19, 1953 (P. L. 1081), is amended to read:

Section 315. Revocation of Licenses; Right to Hunt or Trap Denied.—

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